

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2015-76**

June 9, 2015

Mr. John Thrift

RE: FOIA Appeal 2015-76

Dear Mr. Thrift:

This letter responds to the administrative appeal you filed with the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 ("DC FOIA"). In your appeal you assert that the Office of the State Superintendent of Education ("OSSE") improperly withheld records you requested under the DC FOIA.

On January 23, 2015, you submitted a request under the DC FOIA for certain information related to administration of the Mayor's Opportunity Fund and directions regarding allocation of funds to the University of the District of Columbia ("UDC"). In March 2015, you filed an appeal with the Mayor through the FOIAxpress system, asserting that you had not yet received a response from OSSE. Unfortunately when you filed your appeal in FOIAxpress, you selected UDC as the "Action Office," whereas appeals must be filed with the Mayor's General Counsel. As a result, this office, which responds to FOIA appeals, did not receive your appeal until June 2, 2015.

According to FOIAxpress, OSSE granted your request and provided you with responsive documents on February 24, 2015. Last week I informed you by email that the documents, which consist of 73 pages, are available for review in FOIAxpress. Based on the foregoing, we consider your appeal to be moot. This constitutes the final decision of this office.

If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia government in the Superior Court of the District of Columbia in accordance with the DC FOIA.

Sincerely,

/s/ Melissa C. Tucker

Melissa C. Tucker
Associate Director
Mayor's Office of Legal Counsel